

Re: Manufacturer Defective Cummins Onan Portable Generator

From: [REDACTED] <[REDACTED]>
To: [REDACTED] <[REDACTED]>
Sent: Monday, October 29, 2012 12:24 PM
Subject: Manufacturer Defective Cummins Onan Portable Generator

Mr. [REDACTED]

There are three attachments: (1) Bill of Sale from Lehman Hardware, Inc. (sold this to us on 8/31/11), (2) Recall Alert printed out 10/28/11 (to prepare for hurricane Sandy) found when trying to start up generator and it was leaking gasoline and (3) Operator's manual provided with generator reflecting model and serial number.

Please acknowledge receipt of these materials.

This email is a follow-up to my telephone conversation of earlier today. I expect Cummins to honor the published recall alert and request a full refund plus \$100.

We are in a state of emergency and now left without a generator to protect our refrigerators and freezers and would appreciate an expedient response.




LEHMAN HARDWARE, INC.

5921 Belair Road
Baltimore, Maryland 21206
(410) 483-5888 • Fax: (410) 488-7508
www.DoItBest.com

CUSTOMER'S ORDER NO.		PHONE		DATE 8/31/11	
NAME		[REDACTED]			
ADDRESS		[REDACTED]			
SOLD BY		CASH	C.O.D.	CHARGE	ON ACCT.
		MOBS. RETD.		PAID OUT	
QTY.	DESCRIPTION			PRICE	AMOUNT
1	Onew Generator			77.00	89.00
1	BATTERY			39.99	2.40
					42.39
				TAX	54.00
RECEIVED BY				TOTAL	995.39

54279

All claims and returned goods
MUST be accompanied by this bill.

NO CASH REFUNDS—Credit or Exchange Only

Thank You

Recall Alert

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, D.C. 20207

May 25, 2010

Alert #10-739

Cummins Power Generation Recalls Portable Generators Due to Fire Hazard

The following product safety recall was voluntarily conducted by the firm in cooperation with the CPSC. Consumers should stop using the product immediately unless otherwise instructed. It is illegal to resell or attempt to resell a recalled consumer product.

Name of product: Portable Generators

Units: About 550

Importer: Cummins Power Generation, of Minneapolis, Minn.

Manufacturer: Loncin Industries Ltd., of China

Hazard: Fuel can leak through the carburetor during normal usage, posing a fire hazard to consumers.

Incidents/Injuries: The firm has received 25 reports of fuel leakage. No injuries or property damage have been reported.

Description: This recall involves Cummins Onan Portable Generators. "Cummins Onan" and the model number are printed on the front of the generator. The serial number is printed on the generator's name plate. Only generators manufactured on or after June 2009 and before December 2009 are included in this recall.

Model Numbers	Serial Numbers starting with...
P5550e P5450e P5450ec P5350 P5350c	F09 through L09

Sold by: Authorized dealers nationwide from June 2009 through February 2010 for between \$700 and \$1,100.

Manufactured in: China

* **Remedy:** Consumers should immediately stop using the recalled generators and contact Cummins for a full refund plus a \$100 check. All known users have been contacted by the firm.

* **Consumer Contact:** For additional information, contact Cummins at (800) 344-0039 between 8 a.m. and 4:30 p.m. ET Monday through Friday or visit the firm's Web site at www.cumminsonan.com/portable/.

8/31/2011



Operator Manual

English, Français, Español

Cummins **Onan**

Performance you rely on.™



Portable Generator Set

EGMBD, P5350
EGMBD, P5350c
EGMBD, P5500
EGMBE, P5450e
EGMBE, P5450ec
EGMBE, P5550e
EGMBE, P6500

S/N #: F09E045106

FROM: [REDACTED]
 TO: [REDACTED]
 Monday, October 29, 2012 2:46 PM

Thank you

[REDACTED]
 Power Generation Service Manager
 CPS, LLC
 023 Baltimore 1907 Park 100 Drive
 Glen Burnie, MD 21061-9930

[REDACTED] Office
 direct
 fax

<http://www.powersystems.cummins.com>

From: [REDACTED] <[REDACTED]>
 To: [REDACTED] <[REDACTED]>
 Cc: [REDACTED]
 Sent: Tuesday, October 30, 2012 9:43 AM
 Subject: Re: Manufacturer Defective Cummins Onan Portable Generator

Mr. [REDACTED]

Please accept this a acknowledgement of receipt. [REDACTED] from our Glen Burnie, MD location will be handling this issue for you from here on out, and will be contacting you as soon as possible, be advised this contact may not be until tomorrow (10/31) as that location is closed today because of the storm. [REDACTED]'s direct phone number is [REDACTED].

Regards,

[REDACTED]
 Dealer Warranty Support
 Cummins Power Systems
 4499 Lewis Road
 Harrisburg, PA 17111
 Office [REDACTED]
 Cell [REDACTED]
 Fax [REDACTED]

<http://www.powersystems.cummins.com>

From: [REDACTED] <[REDACTED]>
 To: [REDACTED]
 Cc: [REDACTED]
 Sent: Thursday, November 1, 2012 3:14 PM
 Subject: Portable Genset Issue

Mr. [REDACTED]

I spoke to the factory in regards to info you provided us on the issue with the portable genset. I gave them the serial # you listed and they confirmed that particular s/n F09E045106 is not on the recall list, but is on the list off being campaign at the factory level and should be mark with an R. I provided an attachment below with were you can find the R, if you can let me know if the R is indeed on

there or not. So I can get back to the factory with findings. Thank You

[REDACTED]
Dealer Warranty Support Manager
Cummins Power Systems, LLC
1907 Park 100 Drive
Glen Burnie, MD 21061
Direct # [REDACTED]
[REDACTED]

<http://www.powersystems.cummins.com>

From: [REDACTED] <[REDACTED]>
To: [REDACTED] <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>
Date: 11/12/2012 06:45 PM
Subject: Re: Portable Genset Issue

Hello [REDACTED]

After receiving your email below, I have taken and attached two photos showing that an "R" does indeed exist on the generator. The night before Hurricane Sandy hit, while I was getting prepared I started the generator and noticed that it was, not dripping but spewing gasoline. As I investigated further I noticed that gasoline was mixed in with the oil. This was disconcerting and immediately warned me that there was an internal defect causing extreme danger of fire or explosion. I immediately shut everything down and went to research Cummins website for information. It was then that I opened the Recall Alert and noticed that the model and serial numbers matched that of my unit. My family was without a generator during the storm for 4 days, no heat, couldn't flush commodes because our water is on a well, and lost all of our food in the refrigerators and one of the freezers.

Therefore, we request a full refund as published on Recall Alert and an expeditious response to our request. Cold and stormy weather is here and we need to have this issue resolved.

Please respond.
[REDACTED]





From: [REDACTED]
To: [REDACTED]
Sent: Tuesday, November 13, 2012 7:37 AM
Subject: Re: Portable Genset Issue

Mr. [REDACTED] I will contact the factory with the information you provided me and see, how they want to proceed.

[REDACTED]
Dealer Warranty Support Manager
CumminsPower Systems, LLC
1907 Park 100 Drive
Glen Burnie, MD 21061
Direct # [REDACTED]
<http://www.powersystems.cummins.com>

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Sent: Tuesday, November 13, 2012 4:57 PM
Subject: Fw: Portable Genset Issue

Mr. [REDACTED]

I spoke to the factory and your genset s/n F09E045106 was campaigned at the factory. Confirmed by the pics you provided and doesn't fall under the recall. The factory will not reimburse you for the genset. According to the bill of sale you purchased on 8/31/11. It comes with a 2 yr warranty which would expire on 8/31/13. The only option would be to bring the genset to an authorized Onan repair facility, which we are. As long as the cause of the failure is a warrantable issue it will be covered.

[REDACTED]
 Dealer Warranty Support Manager
 CumminsPower Systems, LLC
 1907 Park 100 Drive
 Glen Burnie, MD 21061
 Direct # [REDACTED]
<http://www.powersystems.cummins.com>

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Date: 11/14/2012 12:39 PM
Subject: Re: Portable Genset Issue

Mr. [REDACTED]

It is very disappointing that Cummins will not honor their remedy for the recall alert re: manufacturer's defect. Our use of this unit could have caused tremendous property damage and perhaps, even loss of life, had I not been intelligent enough to immediately shut down the unit.

Regardless of the fact that the unit was campaigned at the factory, it is obvious that the defect was never corrected. This defective generator was put on the market for sale as NEW. There was no prior disclosure that this condition existed. Its first repair failed. What is to say that its second repair will not fail. In good conscientious, I could never allow myself to trust using this unit again or sell it to anyone knowing its history.

Therefore, it will be necessary for me to contact the following agencies to file a formal complaint:

United States Consumer Product Safety Commission,
 Maryland Attorney General's Office, Consumer Protection Division, and

the State of Maryland Better Business Bureau.

Since there are others that may be experiencing the same frustration with Cummins Onan not honoring in good faith their recall alert, it is probably justifiable to alert the investigative teams of several local news channels as well.

If we do not hear from you with the resolution of a complete refund, we are contemplating contacting our lawyer, [REDACTED]

[REDACTED]

From: [REDACTED] <[REDACTED]>
To: [REDACTED] <[REDACTED]>
Sent: Wednesday, November 14, 2012 2:28 PM
Subject: Re: Portable Genset Issue

Mr. [REDACTED]
I understand your concerns. I have forwarded your email to the factory. Soon as I hear from them I will update you. Thank You

[REDACTED]
Dealer Warranty Support Manager
CumminsPower Systems, LLC
1907 Park 100 Drive
Glen Burnie, MD 21061
Direct # [REDACTED]
[REDACTED]
<http://www.powersystems.cummins.com>

From: [REDACTED] <[REDACTED]>
To: [REDACTED] <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>
Sent: Monday, November 19, 2012 4:28 PM
Subject: Re: Portable Genset Issue

Mr. [REDACTED]
I spoke to the factory today in regards to your email below. The factory advised that they can't reimburse you for the genset, it would need to be brought to an authorized Onan repair facility, which we are for failure analysis and repairs. As long as the cause of the failure is a warrantable issue it will be covered. They also are available for a conference call to discuss the issues if you are available.

Just let me know a time/date and I can set that up..Thank You

[REDACTED]
Dealer Warranty Support Manager
CumminsPower Systems, LLC
1907 Park 100 Drive
Glen Burnie, MD 21061
Direct # [REDACTED] [REDACTED]
[REDACTED]

<http://www.powersystems.cummins.com>

From: [REDACTED] <[REDACTED]>
To: ' [REDACTED] <[REDACTED]>
Cc: ' [REDACTED] <[REDACTED]>
Sent: Monday, November 19, 2012 7:41 PM
Subject: Re: Portable Genset Issue

Mr. [REDACTED]

I can be available for a conference call on Monday, November 26th at 11 AM. I have already filed a formal complaint with the Consumer's Protection Division of the State of Maryland's Attorney General's office and do plan to continue notification to the agencies and local new channels listed below. I'm confident you will be hearing from the CPD of the MDAG office in the coming days. There is no justification for selling a unit to a consumer as new when in actuality it has been repaired without disclosure of a pre-existing problem.

[REDACTED]